

SOLID WASTE DISPOSAL ACT8-9-B. Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements**1. AUTHORITY.**

- a. To represent the U.S. Environmental Protection Agency in administrative enforcement actions conducted under the Solid Waste Disposal Act and 5 U.S.C. section 554.
- b. To negotiate consent agreements between the EPA and respondents resulting from such enforcement action.
- c. To initiate an appeal from an administrative determination and represent the agency in such appeals.

2. TO WHOM DELEGATED. Regional counsel.**3. LIMITATIONS.**

- a. Any official exercising this authority may do so only for those cases initiated by the Region.
- b. Any official exercising this authority must consult with the assistant administrator for the Office of Enforcement and Compliance Assurance prior to initiating an appeal.
- c. Any official exercising the authority to initiate an appeal must obtain the advance concurrence of the director, Enforcement and Compliance Assurance Division or designee.

4. REDELEGATION AUTHORITY.

- a. Authorities 1.a., 1.b., and the authority in 1.c. to represent the agency in appeals may be redelegated to any agency attorney.
- b. The authority in 1.c. to initiate appeals may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

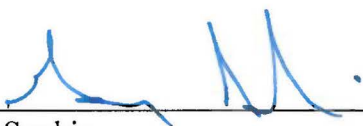
5. ADDITIONAL REFERENCES.

- a. Sections 3001(b)(3)(B)(iv) and 3008 (except 3008(h)) of SWDA.

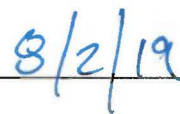
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b. 40 C.F.R. Part 22.



Gregory Sopkin
Regional Administrator



Date